

and

21843

CGB-CC-1178

To: Office of the Secretary

Federal Communications Commission

Attention: Disability Rights Office, Room 3-6431

445 12th Street, SW

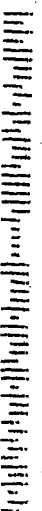
Washington, DC

20554

Received & Indexed
JAN 17 2012
FCC Mail Room

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12/12/11

Office of the Secretary
Federal Communications Commission
Attention: Disability Rights Office, Room 3-B431
445 12th Street, SW
Washington, DC 20554

RE: REQUEST FOR EXEMPTION FROM COMMISSION'S CLOSED CAPTIONING RULES

Hooked on OC is a local fishing show based out of Ocean City, MD showcasing various local charters fishing offshore and in the bay in the Mid-Atlantic region.

Please accept this petition for exemption from Section 79.1 of the Commission's rules, implementing Section 713 of the Communications Act of 1934. The rules are threatening the future of the "Hooked on OC" program, due to the overwhelming expense it would take to comply with such rules. This program qualifies for exemption for the following reasons:

Part 79.1 – Section (D)

"Hooked on OC" is a locally produced show with no repeat value. The program is of local public interest, is not a news program, and the technique of captioning is unavailable. The show is similar to a local origination channel provided by the local cable provider and is unscripted. It is of local interest due to the local boats and people fishing in the charters.

Part 79.1 – Section (F)

"Hooked on OC" will be imposed with undue burden if it has to comply for the following reasons:

- 1) In order to make the weekly shows closed caption we would have to outsource the production. Post-production would cost our company approximately \$26,000 per year at the rate of \$500 per week for the episode to run and our weekly cost to air it is \$375 totalling \$19,500 so we would be at a loss to air the program.
- 2) The show is produced by one local person to air. The time and cost it would take to add on closed caption would make it impossible to even air the show, the investment to air would be at a loss.
- 3) We would have to terminate the program from airing due to lack of funds.

We respectfully request that "Hooked on OC" be exempted from closed captioning-requirement for the aforementioned reasons. Call me or email me with any additional information needed.

Sincerely,



Dave Messick/Hooked on OC
410-251-2885
unscene@dmv.com – email address

AFFIDAVIT OF INFORMATION

I, Dave Messick, owner and producer of "Hooked on OC", by my signature, affixed to this document, do hereby make the following statement of fact to affirm:

- 1) All of the documents that I have submitted to the FCC for the petition request are accurate and true to the best of my knowledge and belief.

My signature of affirmation:

Dave L. Messick

Dave Messick/Owner and Producer of Hooked on OC

The foregoing was subscribed and sworn to me, a Notary Public, of the State of Maryland, County of Worcester this 12th day of December, 2011.

Laurie Isaacs

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Laurie Isaacs

Raymond E. Robinson Jr

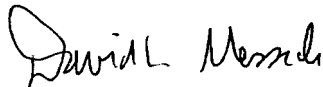
My Commission Expires 8/29/2014

AFFIDAVIT OF COSTS

I, Dave Messick, owner and producer of "Hooked on OC", by my signature, affixed to this document, do hereby make the following statement of fact to affirm:

- 1) The amount to be paid to WMDT channel 47 in Salisbury, MD will be \$375 per week for a total of 48 weeks @ \$18,000 per year.
- 2) Quote from the station of \$500 per show to do closed captioning and technical editing for insertion and testing would supercede the weekly amount to air the show, thus making it a loss to air.

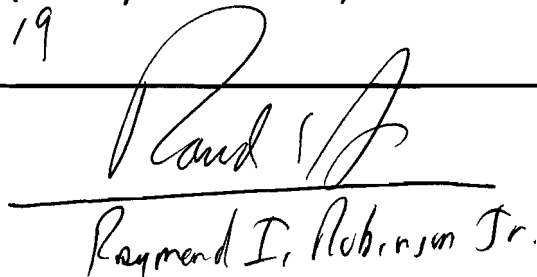
My signature of affirmation:



Dave Messick/Owner and Producer of Hooked on OC

The foregoing was subscribed and sworn to me, a Notary Public, of the State of Maryland, County of Worcester this 12th day of December, 2011.

Laurie Isaacs



my commission Expires 8/19/2014

Federal/State Adjustment Summary

2010

Name as Shown on Return David L Messick & Svetlana F Bosilkova	Social Security Number 000000000
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Schedule C	(A) Fed Income/ Loss Before Passive and At-Risk Adj	(B) Depreciation Adjustment	(C) Other Adjustments	(D) State Inc/ Loss Before Passive and At-Risk Limit	(E) State Inc/ Loss After Passive and At-Risk Limit	(F) Federal Inc/ Loss After Passive and At-Risk Limit
motion picture & video	16,631.	-587.		16,044.	16,044.	16,631.
Total Schedule C Depreciation Adjustment (Sum of Column E less Column F)		-587.				

AS YOU
CAN SEE,

THIS IS

ALL THE
MONEY

I MAKE

IN A YEAR.

Schedule E	(A) Fed Income/ Loss Before Passive and At-Risk Adj	(B) Depreciation Adjustment	(C) Other Adjustments	(D) State Inc/ Loss Before Passive and At-Risk Limit	(E) State Inc/ Loss After Passive and At-Risk Limit	(F) Federal Inc/ Loss After Passive and At-Risk Limit
Total Schedule E Depreciation Adjustment (Sum of Column E less Column F)						

Schedule F	(A) Fed Income/ Loss Before Passive and At-Risk Adj	(B) Depreciation Adjustment	(C) Other Adjustments	(D) State Inc/ Loss Before Passive and At-Risk Limit	(E) State Inc/ Loss After Passive and At-Risk Limit	(F) Federal Inc/ Loss After Passive and At-Risk Limit
Total Schedule F Depreciation Adjustment (Sum of Column E less Column F)						

Form 4835	(A) Fed Income/ Loss Before Passive and At-Risk Adj	(B) Depreciation Adjustment	(C) Other Adjustments	(D) State Inc/ Loss Before Passive and At-Risk Limit	(E) State Inc/ Loss After Passive and At-Risk Limit	(F) Federal Inc/ Loss After Passive and At-Risk Limit
Total Form 4835 Depreciation Adjustment (Sum of Column E less Column F)						